

From: [Simpson, Andrew](#)
To: [Calderon, Wanda](#)
Subject: RE: [EXTERNAL] Clarification details needed for EPA r2 2020 003645
Date: Wednesday, April 01, 2020 4:36:44 PM

Dear Ms. Calderon,

Below is additional information concerning my FOIA request:

Specifically, I am interested in documents such as site inspections, docket files, reports, studies, correspondence with the companies, or other materials that describe company processes, including use of raw materials, manufacturing methods, products produced, and the production and disposal of industrial waste or byproduct. I am particularly interested in references to slag, but I do not want to limit the request to that alone.

As stated in the request, I am also interested in any case dockets for TSCA annual inspections or any violations or enforcement actions. I would also be interested in any documents concerning radiological issues for any of these companies.

With regards to time period, I am interested in *any* records in EPA's possession that describe the historical operations of the following companies. I understand that EPA was not created until the 1970s, but I also know that sometimes EPA receives historical documents relating to specific companies/sites, perhaps as part of 104(e) responses or through other actions. Records of interest generally go up until the late 1970s – however, there may be continuing discussion/investigations by EPA as to which companies may have been the source of radiological contamination from slag used in road fill, parking lots, etc., in Niagara County. Some of this communication may be fairly recent, and with New York DEC, Dept. of Health, or with offices in Niagara County or the City of Niagara falls.

I am not interested in any documents that pertain solely to Love Canal. That is not the focus of my research. I am also not interested in documents that solely relate to the Lake Ontario Ordnance Works. Documents of interest will reference the companies below (or, if EPA has files on other producers of slag in the area, those companies as well).

Below are the companies from my request, and what I suspect are the addresses, though some may be historical and have since changed street or number designations:

- Titanium Alloy Manufacturing (Division of National Lead, also known as N.L. Industries):
 - 4511 Hyde Park Blvd.
- Carborundum Company
 - Multiple facilities in Niagara Falls, many clustered around 1801 Buffalo Avenue.
 - Carborundum's Gload Division was located at Hyde Park Blvd and Rhode Island Avenue.
- Vanadium Corporation of America:
 - 4400 Lockport Road
- Pittsburgh Metallurgical (later Airco Alloys, later SKW Alloys):
 - 3801 Highland Avenue

- Oldbury Electrochemical:
 - 5001 Buffalo Avenue
- Electro Metallurgical Company (later Union Carbide):
 - 137 47th Street
 - Also seen as located at intersection of 47th Street and Royal Avenue, and one reference to 137 Packard Road
- Stauffer Chemical:
 - Lewiston Road – sometimes Old Lewiston Road.
 - I have seen the numbers 5607 or 5715 Old Lewiston Road, but these are likely more modern addresses.

Hopefully this clarifies my request. Please let me know if this is sufficient.

Andrew Simpson

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Andrew.Simpson@fticonsulting.com

From: calderon.wanda@epa.gov <calderon.wanda@epa.gov>

Sent: Wednesday, March 25, 2020 10:33 AM

To: Simpson, Andrew <Andrew.Simpson@fticonsulting.com>

Subject: [EXTERNAL] Clarification details needed for EPA r2 2020 003645



United States Environmental Protection Agency
 Region 2
 290 Broadway, 26th Floor
 New York, New York 10007

03/25/2020

Mr. Andrew T. Simpson
 FTI Consulting, Inc.
 1375 Piccard Drive, Suite 375
 Rockville, MD, 20850

RE: EPA-R2-2020-003645

Dear Mr. Simpson,

This letter concerns the above-referenced Freedom of Information Act (FOIA) request, received by the U.S. Environmental Protection Agency (EPA) on 03/13/2020 in which you are seeking the following: Please refer to your FOIA request for details.

EPA has reviewed the above-referenced FOIA request. After careful review of your request, we determined that your request did not describe the records which you are seeking in a way that will permit EPA employees to identify and locate them. EPA's FOIA regulations state:

“Whenever possible, your request should include specific information about each record sought, such as the date, title or name, author, recipient, and subject matter. If known, you should include any file designations or descriptions for the records that you want. The more specific you are about the records or type of records that you want, the more likely EPA will be able to identify and locate records responsive to your request.” 40 C.F.R. § 2.102(c).

The FOIA does not require an agency to create new records, answer questions posed by requesters, or attempt to interpret a request that does not identify reasonably described records. EPA would like to give you the opportunity to discuss and modify your request so that we may process it. Please respond to this letter providing the additional information below by email to calderon.wanda@epa.gov. If you would like to discuss your request, you may contact me at 212-637-3668.

* time period

* precise subject matter

Please reply within 20 calendar days from the date of this email. If we do not hear back from you, EPA may issue a final determination to close out your request. Please note that you are not prohibited from submitting additional Freedom of Information Act requests in the future. For more information, please visit our website at: <https://www.epa.gov/foia>.

If you need any further assistance or would like to discuss any aspect of your request, you may seek assistance from EPA's FOIA Public Liaison at hq.foia@epa.gov or call (202) 566-1667. You may also seek assistance from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, 8610 Adelphi Road, College Park, MD 20740-6001; email: ogis@nara.gov; telephone: (202) 741-5770 or (877) 684-6448; or fax: (202) 741-5769. We look forward to your prompt reply.

Sincerely,

Wanda Calderon
Government Information Specialist
Office of Regional Counsel

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